



April 28, 2014

**South Orange and
Maplewood Board of
Education Meeting**

Anti-Bullying Bill of Rights Act Update

**N.J.S.A. 18A:37-14
Harassment, Intimidation & Bullying (HIB)**

SOMSD'S FIRST ANNUAL SELF-ASSESSMENT OF ANTI-BULLYING EFFORTS

HIB Programs, Approaches or Other Initiatives.....	10/15
Training on the BOE-approved HIB Policy.....	6/9
Other Staff Instruction and Training Programs.....	10/15
Curriculum and Instruction on HIB-related Information..	4/6
School Level HIB Incident Reporting Procedure.....	5/6
HIB Investigation Procedure.....	9/12
HIB Reporting.....	2/3
 TOTAL.....	 54/75

TRAINING AND PROGRAMS

- **DISTRICT-WIDE INITIATIVES TO TRAIN ALL STAFF**
 - **TRAINING FOR ALL NEW STAFF**
 - **TRAINING IN EACH DISTRICT SCHOOL THROUGHOUT THE SCHOOL YEAR**
 - **ON-GOING MEETINGS WITH ANTI-BULLYING SPECIALISTIS**
 - **UPDATES IN THE LAW**
 - **ON-GOING PROGRAMS IN EACH SCHOOL**

INVESTIGATION PROCEDURE

o CONFUSION SURROUNDING DEFINITION OF HIB

"Harassment, intimidation or bullying" means any gesture, any written, verbal or physical act, or any electronic communication, whether it be a single incident or a series of incidents, that is reasonably perceived as being motivated either by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability, or by any other distinguishing characteristic, that takes place on school property, at any school-sponsored function, on a school bus, or off school grounds as provided for in section 16 of P.L.2010, c.122 (C.18A:37-15.3), that substantially disrupts or interferes with the orderly operation of the school or the rights of other students and that:

INVESTIGATION PROCEDURE, cont.

- a. a reasonable person should know, under the circumstances, will have the effect of physically or emotionally harming a student or damaging the student's property, or placing a student in reasonable fear of physical or emotional harm to his person or damage to his property;**
- b. has the effect of insulting or demeaning any student or group of students; or**
- c. creates a hostile educational environment for the student by interfering with a student's education or by severely or pervasively causing physical or emotional harm to the student.**

CLARIFICATION OF DEFINITION

◊ RECOMMENDATION FROM ANTI-BULLYING TASK FORCE:

A statement that bullying is unwanted, aggressive behavior that involves a real or perceived power imbalance. The power differential is not a visible characteristic itself, but a method of distinguishing the motivating characteristics of the aggressor, relative to a perceived weakness of the victim (in terms of physical strength, popularity, socio-economic status, or a myriad of other characteristics).

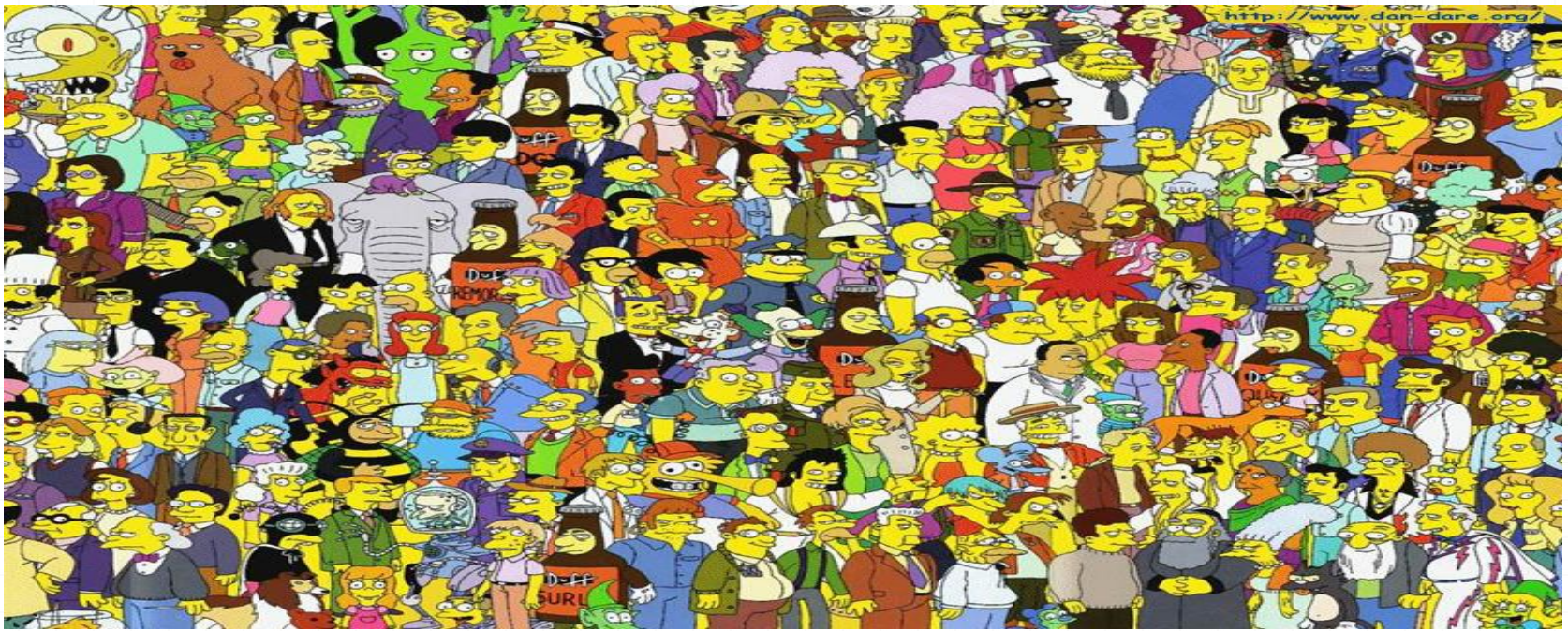
CLARIFICATION REGARDING WHOM THE LAW PROTECTS

◊ THE LAW IS FOR THE PROTECTION OF STUDENTS
ONLY



CLARIFICATION REGARDING POTENTIAL VIOLATORS OF THE LAW

○ ANYONE OF ANY AGE CAN VIOLATE THE LAW



Anti-Bullying Task Force Recommendation:

Investigations of complaints concerning adult conduct shall not be investigated by a member of the same bargaining unit as the individual who is the subject of the investigation.

Key Elements for Effective HIB Prevention in the SOMSD

- 01. A focus on the entire school environment;**
- 02. Data driven decision making;**
- 03. A commitment to sharing the responsibility for HIB prevention by all school staff;**
- 04. Establishment of a coordinating group within the school to exercise a leadership role in the school's HIB prevention efforts.**



QUESTIONS???

Philip E. Stern, Esq.,
In-House Counsel/Anti-Bullying Coordinator
South Orange and Maplewood School District

pstern@somsd.k12.nj.us
(973) 762-5600 ext. 1849